



POWER OF ATTORNEY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: David C. Paul et al.

Application No.: 09/814,214

Group Art Unit: 3738

Filed: March 22, 2001

Examiner: Unassigned

For: BONE IMPLANTS WITH CENTRAL
CHAMBERS

Attorney Docket No.: 8932-342

**POWER OF ATTORNEY BY ASSIGNEE
AND EXCLUSION OF INVENTOR(S) UNDER 37 C.F.R. 3.71**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

The undersigned assignee of the entire interest in the above-identified subject application hereby appoints: S. Leslie Misrock (Reg. No. 18872), Berj A. Terzian (Reg. No. 20060), David Weild, III (Reg. No. 21094), Jonathan A. Marshall (Reg. No. 24614), Barry D. Rein (Reg. No. 22411), Stanton T. Lawrence, III (Reg. No. 25736), Charles E. McKenney (Reg. No. 22795), Philip T. Shannon (Reg. No. 24278), Francis E. Morris (Reg. No. 24615), Charles E. Miller (Reg. No. 24576), Gidon D. Stern (Reg. No. 27469), John J. Lauter, Jr. (Reg. No. 27814), Brian M. Poissant (Reg. No. 28462), Brian D. Coggio (Reg. No. 27624), Rory J. Radding (Reg. No. 28749), Stephen J. Harbulak (Reg. No. 29166), Donald J. Goodell (Reg. No. 19766), James N. Palik (Reg. No. 25510), Thomas E. Friebe (Reg. No. 29258), Laura A. Coruzzi (Reg. No. 30742), Jennifer Gordon (Reg. No. 30753), Geraldine F. Baldwin (Reg. No. 31232), Victor N. Balancia (Reg. No. 31231), Samuel B. Abrams (Reg. No. 30605), Steven I. Wallach (Reg. No. 35402), Marcia H. Sundeen (Reg. No. 30893), Paul J. Zegger (Reg. No. 33821), Edmond R. Bannon (Reg. No. 32110), Bruce J. Barker (Reg. No. 33291), Adriane M. Antler (Reg. No. 32605), Thomas G. Rowan (Reg. No. 34419), James G. Markey (Reg. No. 31636), Thomas D. Kohler (Reg. No. 32797), Scott D. Stimpson (Reg. No. 33607), Gary S. Williams (Reg. No. 31066), Ann L. Gisolfi (Reg. No. 31956), Todd A. Wagner (Reg. No. 35399), Scott B. Familant (Reg. No. 35514), Kelly D. Talcott (Reg. No. 39582),

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Francis D. Cerrito (Reg. No.38100), Anthony M. Insogna (Reg. No. 35203), Brian M. Rothery (Reg. No. 35340), Brian D. Siff (Reg. No. 35679), Alan Tenenbaum (Reg. No. 34939), Michael J. Lyons (Reg. No. 37,386), Garland T. Stephens (Reg. No. 37,242) and William J. Sipio (Reg. No. 34,514), all of Pennie & Edmonds LLP, whose addresses are 1155 Avenue of the Americas, New York, New York 10036, 1667 K Street N.W., Washington, DC 20006 and 3300 Hillview Avenue, Palo Alto, CA 94304, all of Pennie & Edmonds LLP (PTO Customer No.), as its attorneys to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, said appointment to be to the exclusion of the inventors and their attorney(s) in accordance with the provisions of 37 C.F.R. 3.71, provided that, if any one of these attorneys ceases being affiliated with the law firm of Pennie & Edmonds LLP as partner, counsel, or employee, then the appointment of that attorney and all powers derived therefrom shall terminate on the date such attorney ceases being so affiliated.

An assignment of the entire interest in the above-identified subject application:

☐ was recorded on _____ at reel/frame. _/____.

☒ is submitted herewith for recording.

Please direct all correspondence for this application to customer no. .

ASSIGNEE: Synthes (U.S.A.)

Signature: Jessie B. Hill

Typed Name: Jessie B. Hill, Esq.

Position/Title: Director, Legal Affairs

Address: 1690 Russell Road

Paoli, PA 19301

Date: 25 May 2001

ASSIGNMENT

WHEREAS, WE, David C. Paul, a citizen of India residing at 405 Greene Lane, Phoenixville, Pennsylvania 19460, Hansjuerg W. Emch, a citizen of Switzerland residing at 1527 Spruce Street, Philadelphia, Pennsylvania 19102, Beat Schenk, a citizen of Switzerland residing at Steinackerstrasse 14, Nuglar 4412, Switzerland, Michael L. Boyer II, a citizen of the United States residing at 1708 East Lancaster Avenue, Paoli, Pennsylvania 19301, and Thomas B. Higgins, a citizen of the United States residing at 447 Coldstream Drive, Berwyn, Pennsylvania 19312, ASSIGNORS, are the inventors of the invention in BONE IMPLANTS WITH CENTRAL CHAMBERS for which we have executed an application for a Patent of the United States

- ☑ which is executed on even date herewith
- ☑ which is identified by Pennie & Edmonds LLP docket no. 8932-342
- ☑ which was filed on March 22, 2001, Application No. 09/814,214

and WHEREAS, SYNTHES (USA), ASSIGNEE, a General Partnership existing under the laws of the Commonwealth of Pennsylvania and having a place of business at 1690 Russell Road, Paoli, PA 19301 is desirous of obtaining our entire right, title and interest in, to and under the said invention and the said application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to us in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said ASSIGNORS, have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, our entire right, title and interest in, to and under the said invention, and the said United States application and all divisions, renewals and continuations thereof, and all Patents of the United States which may be granted thereon and all reissues and extensions thereof; and all applications for industrial property protection, including, without limitation, all applications for patents, utility models, and designs which may hereafter be filed for said invention in any country or countries foreign to the United States, together with the right to file such applications and the right to claim for the same the priority rights derived from said United States application under the Patent Laws of the United States, the International Convention for the Protection of Industrial Property, or any other international agreement or the domestic laws of the country in which any such application is filed, as may be applicable; and all forms of industrial property protection, including, without limitation, patents, utility models, inventors' certificates and designs which may be granted for said invention in any country or countries foreign to the United States and all extensions, renewals and reissues thereof;

AND WE HEREBY authorize and request the Commissioner of Patents and Trademarks of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents or other evidence or forms of industrial property protection on applications as aforesaid, to issue the same to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we have full right to convey the entire interest herein assigned, and that we have not executed, and will not execute, any agreement in conflict herewith.

AND WE HEREBY further covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, reissue and foreign applications, make all rightful oaths, and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper protection for said invention in all countries.

IN TESTIMONY WHEREOF, We hereunto set our hands and seals the day and year set opposite our respective signatures.

Date 6/5/01, 2001

[Signature: David C. Paul]

L.S.

David C. Paul

State of Penn.)
County of Chester) SS.:

On 6/5/01, 2001, before me, Kathleen B. Pavlik, Notary Public, personally appeared David C. Paul, personally known to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal

[Signature: Kathleen B. Pavlik]

Notarial Seal
Kathleen B. Pavlik, Notary Public
Tredyffrin Twp., Chester County
My Commission Expires Apr. 28, 2003

Notary Public, Pennsylvania Association of Notaries

Date _____, 2001 _____ L.S.

Hansjuerg W. Emch

State of _____)
County of _____) SS.:)

On _____, 2001, before me, _____, Notary Public, personally appeared Hansjuerg W. Emch, personally known to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal

Date 5-28-01, 2001 Michael L. Boyer II L.S.

Michael L. Boyer II

State of Penna)
County of Chester) SS.:)

On 5/28/01, 2001, before me, Kathleen B. Pavlik, Notary Public, personally appeared Michael L. Boyer II, personally known to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal

Notarial Seal
Kathleen B. Pavlik, Notary Public
Tredyffrin Twp., Chester County
My Commission Expires Apr. 28, 2003

Member, Pennsylvania Association of Notaries

Date 5-25, 2001 Thomas B. Higgins L.S.

Thomas B. Higgins

State of Penna)
County of Chester) SS.:)

On 5/25/01, 2001, before me, Kathleen B. Pavlik, Notary Public, personally appeared Thomas B. Higgins, personally known to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal

Notarial Seal
Kathleen B. Pavlik, Notary Public
Tredyffrin Twp., Chester County
My Commission Expires Apr. 28, 2003

Member, Pennsylvania Association of Notaries

Date 7/01/01, 2001

Hansjuerg W. Emch
Hansjuerg W. Emch

State of Pennsylvania
County of Philadelphia SS.:)

On July 11, 2001, before me, Karen A. Gunn, Notary Public, personally appeared Hansjuerg W. Emch, personally known to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal

NOTARIAL SEAL
KAREN A. GUNN, Notary Public
City of Philadelphia, Phila. County
My Commission Expires Sept. 3, 2001

Date _____, 2001

Michael L. Boyer II

State of _____)
County of _____) SS.:)

On _____, 2001, before me, _____, Notary Public, personally appeared Michael L. Boyer II, personally known to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal

Date _____, 2001

Thomas B. Higgins

State of _____)
County of _____) SS.:)

On _____, 2001, before me, _____, Notary Public, personally appeared Thomas B. Higgins, personally known to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal

Date June 26, 2001

Real Schenk

Date 6/26.2001

Witness (print name) signature

Witness signature (print name) Mrs Wigger